

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-CR-81-MOC-WCM**

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	
)	
RACHEL PAIGE CROWE,)	<u>WRIT OF CONTINUING</u>
Defendant,)	<u>GARNISHMENT</u>
)	
and)	
)	
EASTERN BAND OF CHEROKEE)	
INDIANS,)	
Garnishee.)	

GREETINGS TO GARNISHEE:

Hannah Smith, Senior Associate Attorney General
Eastern Band of Cherokee Indians
Office of the Attorney General
Post Office Box 455
Cherokee, North Carolina 28719

An Application for a Writ of Continuing Garnishment against money or property, including tribal gaming proceed funds, of Defendant Rachel Paige Crowe has been filed with this Court. Doc. No. 42. The Application is **GRANTED** and this writ is hereby **ENTERED**.

A judgment has been entered against Defendant, dated January 23, 2024, which directed Defendant to pay an assessment of \$200.00 and a JVT A assessment of \$5,000.00. Doc. 39. According to the Application, a balance of \$5,000.00, as computed through March 14, 2024, is due and owing.

You, as the Garnishee, are required by law to **answer in writing**, under oath, within ten (10) days of service of this Writ, whether or not you have in your custody, control, or possession, any property or funds owned by the Defendant, including nonexempt, disposable earnings (and tribal gaming proceed funds).

You **must withhold and retain** any property in which Defendant has a substantial nonexempt interest and for which you are or may become indebted to Defendant pending further Order of this Court. See 15 U.S.C. § 1673(a).

Please state whether or not you anticipate paying Defendant any future payments and whether such payments are weekly, bi-weekly, monthly, annually, or bi-annually.

You **must file the original written Answer to this Writ** within ten (10) days of your receipt of this Writ with the following office:

Clerk of the United States District Court
100 Otis Street, Room 309
Asheville, NC 28801

Additionally, you are required by law to serve a copy of the Answer upon Defendant at his or her last known address:

Rachel Paige Crowe, #27794-510
FCI Waseca
P.O. Box 1731
Waseca, MN 56093

You are also required to serve a copy of the Answer upon the Government at the following address:

United States Attorney's Office
Financial Litigation Unit
227 West Trade Street, Suite 1650
Charlotte, North Carolina 28202

Pursuant to 15 U.S.C. § 1674, you, as the Garnishee, are prohibited from discharging Defendant from employment by reason of the fact that his or her earnings have been subject to garnishment for any one indebtedness.

Pursuant to 28 U.S.C. § 3205(c)(6), if you **fail to answer this Writ or fail to withhold property or funds** in accordance with this Writ, the United States of America may petition the Court for an Order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this Writ, the Court may enter a judgment against you for the value of Defendant's nonexempt interest in such property. The Court may award a reasonable attorney's fee to the United States and against you if the Writ is not answered within the time specified.

Signed: March 15, 2024



W. Carleton Metcalf
United States Magistrate Judge

